

EXHIBIT A



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Transcript of Julie Kelly

Date: October 15, 2018

Case: Barger -v- First Data Corporation, et al.

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1 UNITED STATES DISTRICT COURT

2 EASTERN DISTRICT OF NEW YORK

3 * * *

4 STEVEN B. BARGER, an

5 individual,

6 Plaintiff,

7 vs.

CASE NO. 1:17-CV-4869

8 FIRST DATA CORPORATION, a

9 Delaware corporation; and

10 FRANK BISIGNANO, DAN

11 CHARRON, ANTHONY MARINO,

12 KAREN WHALEN, and RHONDA

13 JOHNSON, each an individual,

14 Defendants.

15 * * *

16 Deposition of JULIE KELLY, Witness

17 herein, called by the Defendants for

18 cross-examination pursuant to the Rules of Civil

19 Procedure, taken before me, Lisa M. Conley

20 Yungblut, a Notary Public within and for the State

21 of Ohio, at the Potter Stewart Courthouse, 100

22 East Fifth Street, Room 203, Cincinnati, Ohio, on

23 Monday, the 15th of October, 2018, at 12:07 p.m.

24 * * *

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1 APPEARANCES:

2 On behalf of the Plaintiff:

3 The Law Office of Shawn Shearer

4 By: Shawn Shearer
5 Attorney at Law
6 3839 McKinney Avenue
7 Suite 155-254
8 Dallas, Texas 75204
9 972-803-4499
10 shawn@shearerlaw.pro

11 On behalf of the Defendants:

12 Saul Ewing Arnstein & Lehr, LLP

13 By: Gillian A. Cooper
14 Attorney at Law
15 650 College Road East
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18 609-452-5021
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20 and

21 Jackson Lewis

22 By: Matthew R. Byrne
23 Attorney at Law
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25 201 East 5th Street
Cincinnati, Ohio 45202
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26 ALSO PRESENT:

27 Robin Ording
28 Jill Poole (by phone)
29 Lori Graesser (by phone)

30 * * *

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1 JULIE KELLY

2 of lawful age, Witness herein, having been first
3 duly sworn as hereinafter certified, was examined
4 and deposed as follows:

5 CROSS-EXAMINATION

6 BY MS. COOPER:

7 Q. Good afternoon, Ms. Kelly. My name
8 is Gillian Cooper. I'm an attorney at Saul Ewing
9 Arnstein & Lehr. We represent First Data
10 Corporation in this matter. We also represent the
11 individual defendants who are: Frank Bisignano,
12 Dan Charron, Anthony Marino, Karen Whalen, and
13 Rhonda Johnson. We are here today for your
14 deposition, so I just want to go over a couple of
15 procedural things and some ground rules. So in
16 the room with us today, we have Robin Ordning, who
17 is the corporate representative for First Data, so
18 she's here in that capacity. We also have with us
19 Matthew Byrne from Jackson Lewis; he is local
20 counsel here in Ohio. On the phone, we have Lori
21 Graesser and Jill Poole, who are in-house counsel
22 at First Data.

23 And Mr. Shearer is the plaintiff's,
24 Steve Barger's, attorney. Is it correct that he
25 does not represent you in connection with this

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1 deposition?

2 A. That's correct.

3 Q. Okay.

4 MR. SHEARER: But I want to make
5 clear for the record -- this is Shawn Shearer of
6 the law office of Shawn Shearer, counsel for the
7 plaintiff, Steve Barger -- that I am also counsel
8 for Ms. Kelly in connection with her complaint and
9 charge of discrimination that has been filed with
10 the Ohio Civil Rights Commission currently being
11 investigated, right to sue letter has not yet been
12 issued, and so that representation needs to be
13 recognized.

14 MS. COOPER: Okay. So it's noted for
15 the record.

16 BY MS. COOPER:

17 Q. So also here in the room is
18 Ms. Yungblut. Am I saying that correctly? Okay.
19 She is the court reporter. It is her job to take
20 down everything that we say today. So for her
21 purposes and for her sanity, what we try to do is
22 not talk over one another, because she can't write
23 down what we're saying if we're both talking at
24 the same time. So I will do my very best to allow
25 you to finish what you're saying, and I ask that